



# Chicago Metropolitan Agency for Planning

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## MEMORANDUM

**To:** CMAP Board

**Date:** March 31, 2010

**From:** CMAP Staff

**Re:** State Legislative Update

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### Mid-Session Legislative Report

*Does not include HBs or SBs referred to Rules or Assignments*

#### Calendar & Deadlines

- March 29-April 12 – General Assembly spring break
- April 13 – General Assembly returns
- April 14-15 – IML Springfield Lobby Day
- April 21 – IDOT House Appropriations Hearing
- April 23 – House Bills (HB) out of Senate committees
- April 23 – Senate Bills(SB) out of House committees
- April 28 – IDOT Senate Appropriations Hearing
- May 7 – House deadline 3<sup>rd</sup> reading SBs, Adjournment
- May 7 – Senate deadline 3<sup>rd</sup> reading HBs, Adjournment

#### CMAP Budget Update

Funding for MPOs and regional planning was included in the IDOT FY 11 budget, under Metropolitan Planning and Research Purposes – State Share. CMAP is extremely grateful to the Governor and his staff for including this in the budget. CMAP also appreciates all the legislators from northeastern Illinois who expressed the need to continue to fund CMAP and regional planning. Now, staff will be actively monitoring the appropriations process to ensure no significant changes occur in the funding amounts. Below are the upcoming IDOT appropriations hearings. At this time, CMAP has not been asked to testify.

- April 21 – IDOT House Appropriations Hearing
- April 28 – IDOT Senate Appropriations Hearing

***Bills Failed Passage***

Affordable Housing [SB 3001](#) – Garrett (D-Lake Forest)

This bill would have allowed counties to create affordable housing trust funds, paid for by revenues on deed recordings.

***Bills Signed into Law by Governor***

Primary Elections [SB 355](#) – Demuzio (D-Carlinville) *House Sponsor: Nekritz (D-Des Plaines)* – This bill changes the Illinois' primary election day from the first Tuesday in February to the third Tuesday in March, in even-numbered years.

***Bills Pending Governor Action***

Pension Reform [SB 1946](#) – Cullerton (D-Chicago) *House Sponsor: Madigan (D-Chicago)* – The Illinois General Assembly passed public pension reform. The retirement reforms create a two-tiered pension system that does not affect current employees or retirees, but lessens benefits and increases the retirement age for newly-hired government employees. Passed Senate (48Y; 6N; 3P); Passed House (92Y; 17N; 7P). For more details, please visit the following websites: <http://www.senatedem.ilga.gov/> or <http://www.senategop.state.il.us/>.

Gasification Technology [HB 2688](#) – Leitch (R-Peoria) *Senate Sponsor: Clayborne (D-East St. Louis)* – Allows the IEPA to permit a portion of a pollution control facility to test gasification conversion technology, the process of applying heat to municipal waste, grain, switch grass to convert to synthetic gas to use for the generation of electricity.

Jobs Creation Tax Credit [SB 1578](#) – Creates the Small Business Job Creation Tax Credit Act which allows small businesses of no more than 50-full time employees to receive a \$2,500 tax credit for each full-time employee hired during the state's Fiscal Year 2011.

***Bills Passed the House***

Pedestrian Stop [HB 43](#) – Arroyo (D-Chicago) *Senate Sponsor: Steans (D-Chicago)* – The bill would require the driver of a vehicle to stop and yield the right-of-way to a pedestrian at a crosswalk and in school zones. Passed House (60Y; 54N).

Homeowners Assistance [HB 2360](#) – Turner (D-Chicago) *Senate Sponsor: Hendon (D-Chicago)* – The bill would require IHDA to provide direct financial assistance and counseling to qualified homeowners. The bill is subject to a \$3 million appropriation. Passed House (73Y; 38N).

RTA Tax Opt-Out [HB 2516](#) – Franks (D-Woodstock) *Senate Sponsor: Althoff (R-Crystal Lake)* – The bill provides counties may opt out of any tax increase imposed by the RTA tax and that the county would no longer receive distributions or any other benefits from the increase. Submission of the opt-out is to be submitted to the RTA in the form of a resolution.

Forest Preserve Bonds [HB 4639](#) – Osmond (R-Antioch) *Senate Sponsor: Althoff (R-Crystal Lake)* – The bill would extend maturation of bonds for forest preserves and conservation districts from

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20 years to 25 years, except Build America Bonds. Passed House (98Y; 17N). Assigned to Senate Local Government.

*Seniors Ride Free* [HB 4654](#) – Bassi (R-Palatine) *Senate Sponsor: Radogno (R-Lemont)* – This bill would modify the seniors ride free program at RTA by requiring a means test for eligibility. Passed House (83Y; 27N; 9P).

*Farmers' Markets* [HB 4756](#) – Ford (D-Chicago) *Senate Sponsor: Hutchison (D-Olympia Fields)* – This bill would create the Farmers' market Technology Improvement Fund as a special fund in the state treasury, to implement the Farmers' Market Technology Improvement Program that would help farmers purchase or rent wireless POS terminals to process SNAP benefits from the Illinois LINK program. Passed House (110Y; 2N). Assigned to Senate Human Services.

*Energy Efficiency* [HB 4758](#) – Tryon (R-Crystal Lake) *Senate Sponsor: Althoff (R-Crystal Lake)* – This bill would authorize a county to enter into voluntary agreements with property owners in unincorporated areas in order to provide for contractual assessments to finance the installation of distributed generation, renewable energy sources or energy efficiency improvements. Placed on Senate Calendar Order of 2nd Reading March 25, 2010.

*Intergovernmental Agreements* [HB 4945](#) – Mathias (R-Arlington Heights) *Senate Sponsor: Wilhelmi (D-Crest Hill)* – This bill would permit local government to authorize the treasurer of the local government to join with other treasurers to jointly invest funds of which the treasurer has custody. Assigned to Senate Local Government.

*Annexation* [HB 4968](#) – Farnham (D-Elgin) *Senate Sponsor: Holmes (D-Plainfield)* – This bill would allow a municipality to annex territory which is not contiguous to the municipality if the territory is separated by an area dedicated to conservation and owned by a not-for-profit organized under Section 501(c)(3). Passed House (98Y; 16N).

*FOIA* [HB 5154](#) – Chapa LaVia (D-Aurora) *Senate Sponsor: Lightford (D-Westchester)* – This bill would exempt the disclosure of performance evaluations from the FOIA in the state of Illinois. Passed House (70Y; 39N).

*Motor Fuel Tax* [HB 5178](#) – Winters (R-Rockford) *Senate Sponsor: Link (D-Lake Bluff)* – This bill would make changes to the allocations of the tax receipts. Provides that a proportional allotment of tax receipts shall be made for any road district based on the rate extended by the district and sets forth allocation procedures for DuPage County. Passed House (102Y; 8N).

*Water Revolving Loans* [HB 5226](#) – Mell (D-Chicago) *Senate Sponsor: Steans (D-Chicago)* – This bill would authorize funds in the Loan Support Program to be used to finance water pollution control projects. It would allow the Public Water Supply Loan Program to be used to make direct loans and provide subsidies to eligible local governments and privately-owned

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community water supplies. Certain projects would fulfill federal State Revolving Fund grant requirements for a green project reserve. Passed House (109Y; 0N).

*Open Meetings* [HB 5483](#) – Kosel (R-Mokena) – This bill would require that a public body approve minutes within 30 days after their meeting or the subsequent regular meeting and make the minutes publicly available within 10 days after approval.

*Agriculture/Fertilizer* [HB 6099](#) – Phelps (D-Harrisburg) – This bill would provide regulations for the use of phosphorus-containing fertilizer to lawns, agricultural land, commercial lands; prevents local government from creating more stringent regulations than state statute. Passed House (105Y; 2N).

### ***Bills Passed the Senate***

*H+T Affordability Index* [SB 374](#) – Raoul (D-Chicago); *House Sponsor: Tryon (R-Crystal Lake)* – This bill would create the Housing+Transportation Affordability Index, and require various state agencies to use it to measure housing and transportation affordability and utilize it as a development tool in when considering funding allocation, distribution of incentives, and facility siting in Metropolitan Planning Organization areas. Passed Senate (34Y; 20 N; 1 P)

*Rainwater Harvesting* [SB 2549](#) – Garrett (D-Lake Forest); *House Sponsor: McCarthy (D-Orland Park)* – This bill would require the Department of Public Health to adopt and publish a minimum code of standards for rainwater harvesting collection and distribution systems by March 1, 2011. Passed Senate (56Y; 0N)

*High Speed Rail Authority* [SB 2571](#) – Sandoval (D-Cicero); *House Sponsor: Burke (D-Chicago)* – This bill would create a 15-member commission to prepare and issue a report recommending the best governmental structure for a public-private partnership to design, build, operate, maintain, and finance a high-speed rail system for the state. Passed Senate (51Y; 2N)

*Forest Preserve Bonds* [SB 2603](#) – Althoff (R-Crystal Lake); *House Sponsor: Osmond (R-Antioch)* – This bill would give forest preserve and conservation districts 25-year bonds, (currently only 20 years). Park districts have this authority. HB 4639 is the companion bill. Passed Senate (55Y; 0N)

*Municipal Streets* [SB 2927](#) – Sandoval (D-Cicero); *House Sponsor: Kosel (R-Mokena)* – Allows larger commercial trucks access to municipal streets. Passed Senate (47Y; 1N; 2P)

*Tax Caps* [SB 3139](#) – Harmon (D-Oak Park); *House Sponsor: Nekritz (D-DesPlaines)* – This bill would make changes to PTELL extension base. Passed Senate (50Y; 0N)

*Green Tax Credit* [SB 3147](#)– Clayborne (D-East St. Louis); *House Sponsor: Turner (D-Chicago)* – This bill would create an income tax incentive for 25 percent of the cost of qualifying expenditures for energy efficient projects, including WaterSense products, as well as green roofs and other environmentally sustainable landscaping. Passed Senate (53Y; 0N)

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*Road Districts* [SB 3430](#) – Althoff (R-Crystal Lake); *House Sponsor: Tryon (R-Crystal Lake)* – This bill would allow all road districts to be sued, to acquire property and to enter into contracts. Passed Senate (56Y; 0N)

*Motor Fuel Tax* [SB 3462](#) – Link (D-Waukegan); *House Sponsor: Winters (D-Shirland)* – This bill would further distribute MFT funds to Illinois township road districts, except DuPage County, with a tax levy less than eight cents by allowing townships. Passed Senate (51Y; 3N)

*Road Districts* [SB 3592](#) – Bond (D-Grayslake); *House Sponsor: Froelich (D-Schaumburg)* – This bill would require IDOT to inventory all township road districts in counties with 1 million or more inhabitants, including miles of roads, costs for maintenance, taxes, number of employees, etc. Passed Senate (54Y; 0N)

*Innovation Zones* [SB 3638](#) – Bond (D-Grayslake); *House Sponsor: Currie (D-Chicago)* – This bill would create innovation zones that include activities to encourage and retain entrepreneurs and highly skilled, educated graduates and workers, supplement public/private sector collaborations. Passed Senate (53Y; 0N)

*Foreclosure Prevention* [SB 3738](#) – Collins (D-Chicago); *House Sponsor: Lyons (D-Chicago)* – This bill would create a foreclosure prevention counseling fund. Passed Senate (38Y; 6N)

#### ***Senate Bills with Deadlines Extended***

*DuPage Water Commission* [SB 580](#) – Cronin (R-Elmhurst) – This bill would abolish the DuPage Water Commission, or any other commissions created by the Water Commission Act of 1985, and create a water department within DuPage County. Placed on calendar order of third reading April 13, 2010.

*Green SSAs* [SB 2505](#) – Frerichs (D-Champaign) – This bill would allow municipalities to establish a green energy special service area to fund energy efficiency improvements or renewable energy improvements. Rule 2-10 Third reading deadline established as April 15, 2010.

*Floodplains* [SB 2556](#) – Haine (D-Alton) – This bill would amend the definition of 100-year floodplain law currently in compliance with FEMA. Rule 2-10 Third reading deadline established as April 15, 2010.

*Metropolitan Water Reclamation District* [SB 2970](#) – Jones (D-Chicago) – Allows academic institutions to use land belonging to the Metropolitan Water Reclamation District for academic, community service or physical education programs. Rule 2-10 Third reading deadline established as April 15, 2010.

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*TIF* [SB 3151](#) – Link (D-Waukegan) – This bill would amend TIF statutes by decreasing the amount of money available for TIF projects. Rule 2-10 Third reading deadline established as April 15, 2010.

*Public-Private Partnerships* [SB 3482](#) – Steans (D-Chicago) – This bill would promote public-private partnerships for transportation by authorizing IDOT and ISTHA to enter into agreements related to the development, operation and financing of transportation facilities & to encourage the practice of congestion pricing in connection with toll highways. Rule 2-10 Third reading deadline established as April 15, 2010.

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